

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT Greenville, TN

Deanna M. Johnson

Name of plaintiff (s)

v.

Franklin Woods Community

Hospital / Mountain States

Health Alliance

Name of defendant (s)

Case No. 2:13-cv-83  
(to be assigned by Clerk)

Greer / Inman

COMPLAINT

1. A short and plain statement of the grounds for filing this case in federal court (include federal statutes and/or U.S. Constitutional provisions, if you know them):

The above named employer discriminated against me by terminating my  
employment in violation of age discrimination in the Employment Act of 1967, as amended.  
In addition, I was discriminated against based on retaliation, in violation of Title VII of the  
Civil Rights Act of 1964, as amended.

2. Plaintiff, Deanna Johnson resides at

367 Max Jett Road, Johnson City  
street address city

Carter County  
Washington County, TN, 37601, (423) 330-3237  
county state zip code telephone number

(if more than one plaintiff, provide the same information for each plaintiff below)

3. Defendant, Franklin Woods Community Hospital / Mountain States Health Alliance lives at, or its business is located at  
300 Med Tech Pkwy, Johnson City,  
street address city  
Washington County, TN, 37601  
county state zip code

(if more than one defendant, provide the same information for each defendant below)

4. Short and plain statement of your claim (state as briefly as possible the facts of your case and how each defendant is involved. You may use additional paper if necessary):

Deanna Johnson was terminated by the above named employer on February 14, 2011.  
I was hired originally by the employer as a RN in September 1996 until 2007.  
I worked as a staff nurse, and also as a shift leader. I was rehired  
in January 2009 at Johnson City Medical Ctr as a shift leader on 3300/3400. During my  
employment with Mountain States Health Alliance, I had always been commended for being  
an excellent nurse, and had always received above average evaluations. My  
last evaluation was May 10, 2010 which was exemplary. Everything either exceeded  
expectations or met expectations. After the May evaluation, the discrimination  
began by supervisory employees. The unit where I was working on was closed.  
I was offered and accepted a position at Franklin Woods Community Hospital /  
Mountain States Health Alliance to open up the ICU as Dayshift shift leader.  
I was offered this by a different manager, and when I began my new position,  
my previous manager had transferred also. (see attached)

When I began my position in August 2010 at Franklin Woods Community Hospital ICU, the discrimination began. The manager of the ICU had no management experience as an ICU manager, only the small tenure as Interim manager on 3300/3400 at Johnson City Medical Center. The ICU immediately started having major issues, both patient and staff issues. She began to blame all of the unit's problems on specific employees. Some of these included, new nurses, minority nurses, and also at least two employees with health issues. (a newly diagnosed nurse with MS and also a pregnant CNA with pregnancy problems). I attempted to tell the manager that some of the things were unethical and illegal. During this time, both myself and house supervisors voiced our concerns over some of her discriminatory acts, and also some of her decision making for the unit. After this, the ICU manager decided to start her mission to quote "get rid of me"; and on February 14, 2011, the manager terminated my employment. I was told by another shift leader on our unit that the manager stated that, "I cost too much, and I KNEW too much that could ultimately hurt both her and the employer."

Since my termination, there have been approximately 160-200 employees who were terminated with approximately thirty plus years of experience. Some of these employees have also voiced their interest in pursuing their legal rights under the law. Since my termination, I believe MSHA has given me bad references which has prevented me from getting jobs. Also, the company is attempting to sue me for a sign on bonus that I received in January 2009. This company has continued to get by with violating employees' civil rights for some time now. They attempt to intimidate people by telling them that no one can "beat" them because they can everything, and I was told if I pursued a case that they'd personally see to it that I ~~wouldn't~~ wouldn't work as a nurse in our area again. I was given the right to sue on December 18, 2012 by EEOC. Also, soon after my unemployment hearing I was found innocent of their accusations and the manager was "relieved" from her duties & fired to resign.

Sincerely,

Deanna Johnson  
(423) 330-3237

5. A demand for judgment for the relief you seek (list what you want the Court to do):

- a. Be given as requested by my unemployment hearing all of my personnel files showing my excellent evaluations.
- b. \$1,000,000 for pain and suffering and defamation of character during this entire ordeal. Also, for loss of wages, attorney costs & medical expenses.
- c. Retract the amount for the sign on bonus that I was given in January 2009. The three years wasn't completed due to my termination which again I was not warranted.
- d. Jury requested

I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this 14th day of March, 2013.

Deanna Johnson

Signature of plaintiff(s)



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Deanna Johnson**  
**367 Max Jett Road**  
**Johnson City, TN 37061**

From: **Birmingham District Office**  
**Ridge Park Place**  
**1130 22nd Street**  
**Birmingham, AL 35205**



On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

494-2012-00426

**Michele R. Harris,**  
**Investigator**

(205) 212-2071

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

*Beverly B. Hinton*  
 Delner Franklin-Thomas,  
 District Director

12/18/2012  
 (Date Mailed)

Enclosures(s)

cc: **FRANKLIN WOODS COMMUNITY HOSPITAL**  
**c/o Frank Anderson**  
**Mountain States Health Alliance**  
**400 North State of Franklin Road**  
**Johnson City, TN 37604**